

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NEW YORK SECTION AMERICAN CAMPING  
ASSOCIATION, INC. d/b/a AMERICAN CAMP  
ASSOCIATION, NEW YORK AND NEW JERSEY,

Plaintiff,

-against-

PATRICIA S. RUPPERT, as Commissioner of Rockland  
County Department of Rockland and as Commissioner of  
Health of the Rockland County Health District, JEFFREY  
OPPENHEIM, as Member of Rockland County Board of  
Health, MAUREEN CREEGAN, as Member of Rockland  
County Board of Health, MARY JEAN MARSICO, as  
Member of Rockland County Board of Health, CLEMENT  
OSEI, as Member of Rockland County Board of Health,  
ANITA CHATLANI SHAH, as Member of Rockland  
County Board of Health, ROCKLAND COUNTY BOARD  
OF HEALTH, and COUNTY OF ROCKLAND, including  
its DEPARTMENT OF HEALTH,

Defendants.  
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19-CIV-\_\_\_\_\_ ( )

**ORDER TO SHOW  
CAUSE FOR  
PRELIMINARY  
INJUNCTION AND  
TEMPORARY  
RESTRAINING ORDER**

Upon the declarations of Donald J. Feerick, Jr., Esq. duly sworn to the 28<sup>th</sup> day of June, 2019, and the exhibits annexed thereto and the declaration of Susie Lupert, sworn to the 28<sup>th</sup> day of June, 2019, the accompanying memorandum of law and the copy of the complaint hereto annexed, it is

**ORDERED**, that the above named defendants show cause before a motion term of this Court, at Room \_\_\_\_, United States Courthouse, 300 Quarropas Street, in the City of White Plains, County of Westchester and State of New York, on July \_\_\_\_, 2019, at \_\_\_\_ o'clock in the forenoon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendants during the pendency of this action from enforcing the following portions of the Defendant

Commissioner's June 4, 2019 Orders: (a) Mandatory Reporting of Vaccination Status provision which requires the Plaintiff member camps to create, maintain and submit lists of proprietary customer and staff lists containing personal data on a weekly basis throughout the summer and all penalties, denials, suspensions or revocations of permits to operate a children's camp as set forth in the Orders based upon alleged non-compliance with same; and (b) Mandatory Vaccinations to the extent that late timing of the Orders renders certain aspects impossible to be brought into compliance prior to camp openings on their face during the 2019 summer season; and it is further

**ORDERED** that, sufficient reason having been shown therefore, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the defendants are temporarily restrained and enjoined from enforcing the following portions of the Defendant Commissioner's June 4, 2019 Orders: (a) Mandatory Reporting of Vaccination Status provision which requires the Plaintiff member camps to create, maintain and submit lists of proprietary customer and staff lists on a weekly basis throughout the summer and all penalties, denials, suspensions or revocations of permits to operate a children's camp as set forth in the Orders based upon alleged non-compliance with same; and (b) Mandatory Vaccinations but only to the extent that late timing of the Orders renders certain aspects impossible to be brought into compliance prior to camp openings on their face during the 2019 summer season; and it is further

**ORDERED** that personal service of a copy of this order and annexed affidavit upon the Defendants via their counsel, County Attorney, Thomas E. Humbach, c/o County of Rockland Department of Law, Office of the County Attorney, 11 New Hempstead Road, New City, New

York 10956 on or before \_\_\_\_ o'clock in the forenoon, on July \_\_\_\_ , 2019, shall be deemed good and sufficient service thereof.

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United States District Judge